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PATENT & TRADEMARK OFFICE

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Chandar et al.
Serial No.: 10/036,578
Filed: November 1, 2001
For: STABLE SKIN CARE CONDITIONING COMPOSITIONS
CONTAINING RETINOID BOOSTERS

Group: 1617
Examiner: G. C. Yu
Edgewater, New Jersey 07020
JULY 15, 2004

DECLARATION UNDER 37 CFR 1.132

Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

I, Susanne Teklits lobst, residing at 89 Stelling Avenue, Maywood, NJ 07607
do hereby declare that:

1. I am a citizen of the United States.

2. My educational and technical background in the field of Biochemistry is as follows:

- (a) I received a Bachelor of Science Degree in Biochemistry from Lehigh University in 1986.
- (b) I received a Master of Science Degree in Chemistry from Stevens Institute of Technology in 1989.
- (c) I received a Doctorate of Philosophy from the Department of Biochemistry and Molecular Biophysics at Columbia University in 1995.
- (d) I joined my present employer Unilever in 1986 and I currently have the title Research Scientist, located in Edgewater, NJ.

3. I have read Granger et al., US Patent Application no. 10/036,578 filed November 1, 2001.

4. The following experiments were conducted through an external collaboration in support of the above-cited Granger et al. patent application.

5. **Retinoid Stability Studies in Presence of Boosters and Oils of Varying POV**

The study protocol is described in the Specification, pp. 32-33. The following data was obtained in addition to that in the Specification:

Results: Table 1

mixed Oil+ phosphatidyl choline (B2)			retinol% remain	retinol% remain	predicted
example #	Oil	POV*	1wks @ 50 C	3wk @50 C	t1/2, day
20	cetiol OE	0	98	82.4	77
21	Cetiol OE+ Borage seed oil(97/3)	2.3	96.3	74.6	58.7
22	Cetiol OE+ Borage seed oil(93/7)	5.3	95	63.5	37.9
23	Cetiol OE+ Borage seed oil(85/15)	11.52	83	44.7	20
24	Cetiol OE+ Borage seed oil(70/30)	23	69.7	25.1	11.2
25	Borage seed oil	76.8	26	Not detectable	5

- Average calculated from individual POV values.
- Note: The greater the half-life the more stable the retinoids in the compositions.

6. I conclude the following from these experiments:

Based on the analysis of the above, the combination of a B2 booster with retinoid (which is expected to lead to retinoid instability greater than in the absence of booster), in the presence of oils having POV of less than 12, provide a retinoid half-life of at least about 20 days at 50 deg. C. This effect is unexpected in my professional opinion.

7. I declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and may jeopardize the validity of the application or any patent issuing thereon.

Dated: JULY 15, 2004

By: Susanne Teklits lobst
 Susanne Teklits lobst
 Title: Research Scientist